

STATE OF HAWAII  
HAWAII LABOR RELATIONS BOARD

|                               |   |                             |
|-------------------------------|---|-----------------------------|
| In the Matter of              | ) | CASE NO. OSAB 2002-35       |
|                               | ) | Discrimination Complaint    |
| CRAIG A. GOMES,               | ) |                             |
|                               | ) | ORDER NO. 27                |
| Complainant,                  | ) |                             |
|                               | ) | ORDER DENYING COMPLAINANT'S |
| vs.                           | ) | REQUEST TO POSTPONE INITIAL |
|                               | ) | CONFERENCE                  |
| HAWAIIAN ELECTRIC COMPANY,    | ) |                             |
|                               | ) |                             |
| Respondent,                   | ) |                             |
|                               | ) |                             |
| and                           | ) |                             |
|                               | ) |                             |
| DIRECTOR, DEPARTMENT OF LABOR | ) |                             |
| AND INDUSTRIAL RELATIONS,     | ) |                             |
|                               | ) |                             |
| Appellee.                     | ) |                             |

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ORDER DENYING COMPLAINANT'S  
REQUEST TO POSTPONE INITIAL CONFERENCE

On December 30, 2002, Complainant CRAIG A. GOMES filed a letter with the Hawaii Labor Relations Board (Board) requesting a postponement of the initial conference presently scheduled on January 14, 2003 at 9:30 a.m. until after the conclusion of the Hawaii Supreme Court No. 24723 that he is involved in.<sup>1</sup> Complainant did not indicate whether the other parties agreed to the continuance of the initial conference.

Based upon a review of the record and consideration of Complainant's request, the Board notes that Complainant has already received a one-month continuance of the initial conference. In addition, it has not been established that the Supreme Court appeal would resolve the issues presented in the instant contest. Thus, given the indefiniteness of the length of postponement pending the Supreme Court appeal and the possibility that witnesses' memories may be affected, the Board hereby denies Complainant's request to postpone the initial conference pending the appeal.

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<sup>1</sup>Complainant had previously faxed a request dated December 21, 2002 to postpone the initial conference until March 11 or 17, 2003. On January 2, 2003, Complainant clarified that the fax was for "informational purposes."

NOTICE IS HEREBY GIVEN that the Board will conduct the initial conference in this matter on January 14, 2003 at 9:30 a.m. in the Board's hearing room, Room 434, 830 Punchbowl Street. Appropriate provisions of the notice issued on November 22, 2002 remain applicable.

DATED: Honolulu, Hawaii, January 6, 2003.

HAWAII LABOR RELATIONS BOARD

  
BRIAN K. NAKAMURA, Chair

  
CHESTER C. KUNITAKE, Member

  
KATHLEEN RACUYA-MARKRICH, Member

NOTICE TO EMPLOYER

You are required to post a copy of this notice at or near where citations under the Hawaii Occupational Safety and Health Law are posted at least five working days prior to the conference date. Further, you are required to furnish a copy of this notice to a duly recognized representative of the employees at least five working days prior to the conference date.

Copies sent to:

Craig A. Gomes  
Sherri-Ann Loo, Hawaiian Electric Company  
Leo B. Young, Deputy Attorney General